

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

Bail Appl..No. 1777 of 2007()

CRIME NO.45/07 OF IRITTY POLICE STATION

: PETITIONER/ACCUSED

NOUSHAD S/O.HASSAN,PARAMBAN MARAKATH
HOUSE, REEKANDAPURAM,KANNUR DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE

THE STATE OF KERALA ,REPRESENTED BY
THE SUB INSPECTOR OF POLICE, IRITTY POLICE
STATION THROUGH THE PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, ERNAKULAM - KOCHI-31.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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B.A. No. 1777 OF 2007 B
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Dated this the 23rd day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in Crime No.45/07 of Iritty Police Station for an offence punishable under Sec.420 I.P.C. for allegedly having transferred a pick up lorry to a third person without paying the full sale consideration to the defacto complainant, seeks his enlargement on bail. Petitioner was arrested on 12.2.2007.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is involved in two other similar crimes.

3. Having regard to the facts and circumstances of the case including the short duration of judicial custody of the petitioner, I am inclined to grant bail to the petitioner but only with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 29.3.2007 on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Mattannur and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.
3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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